REMARKS

This amendment is responsive to the Office Action mailed August 18, 2009. In the Office Action, Claims 18, 19, 38, and 39 were objected to for informalities. Claims 1, 2, 4-7, 9-13, 15-21, 23, 24, 26, 27, 29-33, 35-42, and 44-46 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Vaccarelli et al. (U.S. Patent Publication No. 2003/0163380, hereinafter "Vaccarelli") in view of Official Notice.[1]

Claims 1-4 and 6-47 were pending in the present application. Claims 3, 8, 14, 22, 25, 26, 28, 34, 43, 44, and 47 have previously been withdrawn in response to the Restriction Requirement of December 24, 2008. Claims 1, 6, 7, 20, 29, and 40 have been amended. Claims 5, 18, 19, 38, and 39 have been canceled without prejudice. Accordingly, Claims 1-4, 6-17, 20-37, and 40-47 are now pending in the application.

For at least the reasons set forth below, applicants respectfully request reconsideration of the amended claims and allowance of this application.

I.   Interview Summary

Prior to submitting this response, a telephone interview was conducted with Examiner Brooks on September 23, 2009, in an effort to advance prosecution of the present application and to discuss the distinctions between the claimed invention and the cited reference, Vaccarelli. Although no agreement was reached, the Examiner indicated that he would review a response to the Office Action, when submitted, in light of the discussion made during the interview. Applicants wish to thank the Examiner for his time and for working with applicants to advance prosecution of the present application.

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[1] Applicants note that Claims 26 and 44 currently stand withdrawn as being dependent on withdrawn Claims 25 and 43, respectively.

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II.   Claim Objections

Claims 18, 19, 38, and 39 were objected to because of informalities. The Office Action stated that as the claims recite "computer executable instructions for performing the method recited in" preceding claims, they are in improper form. While applicant respectfully disagrees, Claims 18, 19, 38, and 39 have been canceled without prejudice, thus rendering the claim objections moot.

III.   All Pending Claims are Patentable over Vaccarelli

Applicants respectfully traverse the 35 U.S.C. § 103(a) rejections because a proper *prima facie* case of obviousness with respect to Claims 1, 2, 4-7, 9-13, 15-21, 23, 24, 27, 29-33, 35-42, and 45, and 46 has not been established.[2]

Claim 1

As amended, Claim 1 recites:

> A method for processing customer service inquiries, the method comprising:
>
> under control of instructions that are executed by one or more computing devices:
>
> > obtaining a customer service inquiry from a client, the client associated with an electronic mail reply address;
> >
> > calculating an estimate of time of transmission to the client of a responsive communication that corresponds to the customer service inquiry, wherein the estimate is based on selected criteria that include a processing priority assigned to the client;
> >
> > providing the estimate of time of transmission to the client;
> >
> > generating the responsive communication corresponding to the customer service inquiry from the client, wherein the responsive communication includes one or more information components

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[2] Though Claims 26 and 44 were examined in the Office Action, applicants have addressed Claims 26 and 44 in the section below requesting rejoinder of withdrawn claims that are dependent on allowable base claims.

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corresponding to a response from a customer service agent and an embedded unresolved customer service feedback link;

transmitting the responsive communication to the client at the electronic mail reply address associated with the client;

obtaining a user selection of the embedded unresolved customer service feedback link; and

generating an escalated customer service query in response to the selection of the embedded unresolved customer service feedback link.

Applicants respectfully submit that the elements of Claim 1 are not taught or suggested by Vaccarelli nor are they properly subject to Official Notice. For example, Vaccarelli fails to teach or suggest "calculating an estimate of time of transmission to the client of a responsive communication that corresponds to the customer service inquiry, wherein the estimate is calculated based on selected criteria that include a processing priority assigned to the client," as recited in Claim 1.

Vaccarelli is generally directed to a customer satisfaction system that automatically sends customers queries asking if they have any problems, according to a predetermined schedule. If the customer has a problem, the problem is sent to an appropriate problem solver who becomes responsible for finding a solution to the problem.

While Vaccarelli discloses that, upon request, the problem solver may commit to a particular date for a problem solution, which date may be transferred to the customer (Par. [0020]), committing to a particular date for problem solving does not involve "calculating an estimate of time of transmission to the client of a responsive communication. . . , wherein the estimate is calculated based on selected criteria that include a processing priority assigned to the client," as claimed in Claim 1.

Vaccarelli fails to provide any teaching or support regarding selected criteria that include "a processing priority assigned to the client." Vaccarelli simply discloses that an analysis module of the system determines an appropriate problem solver for a given problem. Vaccarelli

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is silent about *how* the analysis module of the system determines the appropriate problem solver. As discussed above, after the analysis module of the system sends the problem to the appropriate problem solver, the problem solver may be requested to commit to a particular date for a problem solution. However, there is no teaching or suggestion, in Vaccarelli, relating to "selected criteria" for calculating an estimate of time of transmission of a responsive communication, wherein the criteria includes "a processing priority assigned to the client."

In addition, the Office Action relied on Official Notice of "links being associated with an expiration date" to reject Claim 1. Applicants respectfully object to and challenge this use of Official Notice. The facts asserted to be "old and well established" are not "capable of instant and unquestionable demonstration as being well-known," and therefore the use of Official Notice was improper. See M.P.E.P. § 2144.03 (stating in part that "Official Notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known."). In any event, applicants have amended Claim 1 to delete the recitation "wherein the embedded unresolved customer service feedback link is associated with an expiration date when the unresolved customer service feedback link will expire."

For at least the reasons set forth above, Claim 1 is in allowable condition. Applicants respectfully request that the rejection of Claim 1 be withdrawn.

Claims 2-4 and 6-17

Claims 2-4 and 6-17 depend from Claim 1 and, thus, are allowable at least in view of their dependency from Claim 1. Applicants request that the rejections of the claims be withdrawn.

Further, Claims 2-4 and 6-17 include additional elements that are not taught or suggested by the cited references, alone or in combination. For example, Claim 7 recites the following additional elements:

wherein at least a subset of clients are associated with the processing priority, the processing priority guaranteeing a responsive communication within a threshold time, and wherein generating the estimate of time of transmission of a responsive communication includes:

determining whether the client is associated with the processing priority; and

if the client is associated with the processing priority, providing the threshold time as the estimate of time of transmission of a responsive communication.

As discussed above with respect to Claim 1, Vaccarelli fails to teach or suggest anything relating to "selected criteria" that includes "a processing priority assigned to the client." Thus, Vaccarelli also fails to teach the above-mentioned elements of Claim 7 in which "a subset of clients are associated with the processing priority, the processing priority guaranteeing a responsive communication within a threshold time."

The Office Action (page 5) alleged that the labels "severity" and "critical" depicted in Fig. 10 disclose such elements. Applicants respectfully disagree.

Fig. 10 of Vaccarelli simply depicts a *problem solver ticket update page* that provides fields for a problem solver to track a problem, its progress, internal analysis, history of correspondence, etc. See Par. [0027]. Thus, "severity" is simply a *field* for the *problem solver ticket update page* and "critical" is a value inputted by the problem solver into the "severity" field. However, nothing in Vaccarelli teaches or suggests "determining whether the client is associated with a processing priority" and "if the client is associated with a processing priority, providing the threshold time as the estimate of time of transmission of a responsive communication," as recited in Claim 7.

Accordingly, a *prima facie* case of obviousness with respect to Claim 7 has not been established and Claim 7 is allowable for this additional reason.

Claim 20

As amended, Claim 20 recites:

A method for processing customer service inquiries, the method comprising:

under control of instructions that are executed by one or more computing devices:

obtaining a customer service inquiry from a client, the client associated with an electronic mail reply address;

generating a responsive communication corresponding to the customer service inquiry from the client, wherein the responsive communication includes one or more information components corresponding to a response from a customer service agent, a first embedded link corresponding to feedback of an unresolved customer service inquiry and a second embedded link corresponding to feedback of a resolved customer service inquiry, wherein the first embedded link and the second embedded link are associated with expiration data that causes the first embedded link and second embedded link to expire based on a use limit that limits the number of times the link can be utilized;

transmitting the responsive communication to the client at the electronic mail reply address associated with the client;

obtaining a user selection of the first or second embedded link;

processing the feedback associated with the user selection of the first or second embedded link; and

generating a responsive action corresponding to the processing of the feedback associated with the user selection.

Applicants respectfully submit that Vaccarelli fails to teach or suggest at least "generating a responsive communication corresponding to the customer service inquiry from the client, . . . wherein the first embedded link and the second embedded link are associated with expiration data that causes the first embedded link and second embedded link to expire based on a use limit that limits the number of times the link can be utilized," as recited in Claim 20.

Rather, Vaccarelli teaches an email survey (shown in FIG. 3) that has one or more html links so that the customer can go directly to online help, by clicking the html links. By clicking on an html link (e.g., "http://www.heyxerox.com" as shown in FIG. 3), the customer is presented with a welcome screen as shown in FIG. 4. In that regard, Vaccarelli clearly states that such link

may be used by the customer *at any time*, not just in response to a query. Moreover, nothing in Vaccarelli suggests or teaches that the first embedded link and the second embedded link are associated with expiration data that causes the first embedded link and second embedded link to expire based on a use limit that limits the number of times the link can be utilized, as claimed in Claim 20.

Thus, Vaccarelli fails to teach or suggest all of the elements recited in amended Claim 20. The Official Notice that was taken by the Examiner is not relevant to this element since the official notice was about "time parameters" set by a site owner for receiving inputs. See Office Action, page 4.

Moreover, applicants respectfully object to and challenge the use of Official Notice in the rejection of Claim 20. As with Claim 1, applicants respectfully submit that the facts asserted to be "old and well established" (i.e., "links being associated with an expiration date") are not "capable of instant and unquestionable demonstration as being well-known," and that the use of Official Notice was therefore improper. See M.P.E.P. § 2144.03. In any event, applicants have amended Claim 20 such that it no longer recites "an expiration date when the first embedded link and second embedded link will expire."

In view of the above, Claim 20 is in allowable condition. Applicants respectfully request that the rejection of Claim 20 be withdrawn.

<u>Claims 21, 23, 24, 27, 29-33, and 35-37</u>

Claims 21, 23, 24, 27, 29-33, and 35-37 depend from Claim 20 and, thus, are allowable in view of their dependency from allowable Claim 20. Applicants request that the rejections of the claims be withdrawn.

Further, Claims 21, 23, 24, 27, 29-33, and 35-37 include additional elements that are not taught or suggested by the cited references, alone or in combination. For example, Claim 27 recites the method of Claim 20, "further comprising generating an estimate of the completion of

a responsive communication and transmitting the estimate to the client." Claim 29 recites additional elements which read as follows:

> wherein at least a subset of clients are associated a processing priority, the processing priority guaranteeing a responsive communication within a threshold time, and wherein generating an estimate of the completion of a responsive communication includes:

> determining whether the client is associated with a processing priority; and

> if the client is associated with a processing priority, providing the threshold time as the estimate of the completion of a responsive communication.

As discussed above in connection with Claims 1 and 7, Vaccarelli fails to teach or suggest the elements of Claims 27 and 29. The Office Action relied on Figs. 10 and 11 of Vaccarelli for allegedly teaching these elements. However, Fig. 10 simply depicts a problem solver ticket update page that provides fields for a problem solver to track a problem, its progress, internal analysis, history of correspondence, etc. See Par. [0027]. While Fig. 10 depicts "severity: critical," "severity" is simply a field for the problem solver ticket update page and "critical" is a value that is input by the problem solver into the "severity" field. Fig. 11 also merely illustrates a problem solver ticket update page. However, nothing in Vaccarelli teaches or suggests "generating an estimate of the completion of a responsive communication and transmitting the estimate to the client" nor does Vaccarelli teach or suggest "selected criteria" and "a processing priority assigned to the client." For these additional reasons, Claims 27 and 29 are further allowable.

Claim 40

Claim 40, as amended, recites:

> A tangible computer-readable medium having computer-executable components stored thereon for causing a computing apparatus to process customer service inquiries, the computer-executable components comprising:

a responsive communication component including one or more information components corresponding to a response to a customer service inquiry from a customer service agent;

an embedded unresolved inquiry component corresponding to an indication of an unresolved response to the customer service inquiry and including a first link to a service provider, wherein the first link to the service provider is associated with an expiration data that causes the first link to expire; and

an embedded resolved inquiry component corresponding to an indication of a resolved response to the customer service inquiry and including a second link to the service provider, wherein the second link to the service provider is also associated with an expiration data that causes the second link to expire,

wherein the expiration data associated with the first link and the second link includes a use limit that limits the number of times the respective link can be utilized.

Applicants respectfully submit that Vaccarelli fails to teach or suggest, at a minimum, that "the first link to the service provider is associated with expiration data that causes the first link to expire" and "the second link to the service provider is also associated with expiration data that causes the second link to expire" where "the expiration data associated with the first link and the second link includes a use limit that limits the number of times the respective link can be utilized," as recited in Claim 40.

As discussed above with respect to Claim 20, Vaccarelli instead teaches an email survey (shown in FIG. 3) that has one or more html links so that the customer can go directly to online help, by clicking the html links. In that regard, Vaccarelli clearly states that such links may be used by the customer at any time, not just in response to a query. Nothing in Vaccarelli suggests or teaches "the expiration data . . . includes a use limit that limits the number of times the respective link can be utilized," as claimed in Claim 40.

Thus, Vaccarelli fails to teach or suggest all of the elements recited in amended Claim 40. The Official Notice that was taken by the Examiner is not relevant to this element since the official notice was about "time parameters" set by a site owner for receiving inputs. See Office

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Action, page 4. As with Claims 1 and 20, applicants respectfully object to and challenge the use of Official Notice in the rejection of Claim 40. As with Claims 1 and 20, applicants respectfully submit that the facts asserted to be "old and well established" (i.e., "links being associated with an expiration date") are not "capable of instant and unquestionable demonstration as being well-known," and that the use of Official Notice was therefore improper. See M.P.E.P. § 2144.03. In any event, applicants have amended Claim 40 such that it no longer recites "an expiration date indicating when the first link will expire."

In view of the above, Claim 40, as amended, is allowable. Applicants respectfully request that the rejection for the claim be withdrawn.

Claims 41, 42, 45, and 46

Claims 41, 42, 45, and 46 depend from Claim 40 and, thus, are allowable in view of their dependency from Claim 40. Further, Claims 41, 42, 45, and 46 include additional elements that are not taught or suggested by the cited references, alone or in combination. Applicants respectfully request that the rejection for the claims be withdrawn.

Claims 3, 8, 14, 22, 25, 26, 28, 34, 43, 44, and 47

Applicants further submit that Claims 3, 8, 14, 22, 25, 26, 28, 34, 43, 44, and 47 are in allowable condition for at least the same reasons discussed above with respect to Claims 1, 20, and 40. Claims 3, 8, 14, 22, 25, 26, 28, 34, 43, 44, and 47 currently stand withdrawn as being non-elected in response to the Restriction Requirement of December 24, 2008. As Claims 3, 8, 14, 22, 25, 26, 28, 34, 43, 44, and 47 are dependent on allowable, generic base claims, applicants request rejoinder and allowance of the non-elected claims.

IV. No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims or characterizations of claim scope or referenced art, applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather,

any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child, or related prosecution history shall not reasonably infer that applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

In view of the foregoing amendments and remarks, applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and allowance of all the pending claims are solicited. If the Examiner has any questions, the Examiner is invited to contact the undersigned at the number provided below.

Respectfully submitted,

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